

Corri A. Feige
Commissioner

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Department of
Natural Resources

Anchorage, Alaska

STATE OF ALASKA

PRESS RELEASE

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State warns feds it will sue to defend submerged lands ownership

(Anchorage, AK) – The State of Alaska told the federal government today it will sue to protect its ownership of submerged lands under certain waters inside Lake Clark National Park and Preserve, unless the federal government acknowledges them as State lands.

The suit is the next step in Governor Mike Dunleavy’s Unlocking Alaska Initiative, aimed at asserting State ownership of its lands in the face of federal resistance and obstruction, said Corri Feige, commissioner of the Department of Natural Resources Commissioner.

“While we regret having to go to court on these issues, federal agencies have repeatedly failed to acknowledge that submerged lands are State lands,” Feige said. “It’s clear that legal action is again necessary. If the executive branch of the federal government continues to deny Alaska’s rights to our land, we will continue to press our case through the judicial branch.”

The letter sent today by the Department of Law to U.S. Interior Secretary Deb Haaland gives the required 180 days’ notice of the State’s intent to file a quiet title action to eliminate any federal cloud on title to submerged lands beneath the Twin Lakes, the Chilikadrotna River, Turquoise Lake and the Mulchatna River. These waterbodies lie within the borders of the Lake Clark National Park and Preserve.

In filing quiet title actions, the State asserts that ownership of these lands passed to Alaska at Statehood, based on the U.S. Constitution’s equal footing doctrine, the federal Submerged Lands Act, the Alaska National Interest Lands Conservation Act, and the Alaska Statehood Act.

The State cited the same authorities in the suit it recently filed against the federal government asserting State ownership of submerged lands at the Koyukuk River. Those same grounds proved conclusive last month when the state won its case before the Interior Board of Land Appeals asserting ownership of about 7,500 acres of land underlying the Kuskokwim River near McGrath.

“DNR’s Public Access Assertion and Defense unit has worked closely with the Department of Law in preparing for these cases,” Feige said. “We are already chalking up wins, and we have momentum on our side.”

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